

1982 WL 189357 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 8, 1982

*1 Mr. Roy W. Hudson
Post Office Box 144
Ridgeway, South Carolina 29130

Dear Mr. Hudson:

You have asked the opinion of this Office on whether it is a violation of the provisions in the South Carolina Constitution [Article VI, Section 3; Article XVII, Section 1A] prohibiting dual office holding for a person to serve concurrently as a municipal council member and a magistrate's constable.

This Office previously has concluded that the positions of municipal council member and magistrate's constable both constitute public offices subject to the constitutional provisions prohibiting dual office holding. [magistrate's constable: 1975-1976 Op. Atty. Gen., No. 4315; municipal council member: 1975-1976, Op. Atty. Gen., No. 4490] Therefore, it is the opinion of this Office that a person would be prohibited by those provisions from serving concurrently as a municipal council member and a magistrate's constable.

Sincerely,

James M. Holly
Assistant Attorney General

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